
Manitoba 

**Annual Report
1985**

The Municipal Board

THE MUNICIPAL BOARD OF MANITOBA
WINNIPEG, CANADA

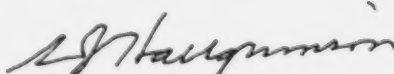
February 28, 1986

Honourable Andy Anstett
Minister of Municipal Affairs
Room 330 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Sir:

Pursuant to the provisions of Section 112 of The Municipal Board Act, the Board submits herewith its annual report for the year 1985.

Yours respectfully



L. J. Hallgrimson, Q.C.
Chairman

THE MUNICIPAL BOARD
ANNUAL REPORT FOR THE YEAR ENDING
DECEMBER 31, 1985

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THE MUNICIPAL BOARD

Mr. L.J. Hallgrimson, Q.C., Chairman

MEMBERS

Appointed Members of The Municipal Board
commencing December 31, 1984, expiring
December 31, 1985 (Order in Council No. 1407
approved December 19, 1984)

William John Hicks
Joyce Lawson
Eyfi Oliver Walterson
George H. Bates
H. Jany Keenan
Gunnar Helgason
Ray Howard
Everett Leader
Meir Serfaty
Roger Smith (Deceased)
Garth Berry
Catherine Margaret Auld

Secretary Mr. R. G. Clarke

Assistant Secretary Mrs. I. Hinks

1234 - 405 Broadway
Winnipeg, Manitoba
R3C 3L6

GENERAL

During the year 1985 the Board issued three hundred and forty-seven (347) Orders including reports and recommendations by the virtue of the relevant Manitoba Statutes and they are categorized as follows:

	<u>1984</u>	<u>1985</u>
1. Local Authorities - Capital Borrowing		
The approval of municipal and school division borrowing, etc.	122	93
Amending Orders	55	65
Miscellaneous	18	46
Temporary Financing	1	4
2. Local Authorities - Purchase of land for development and/or resale	9	1
3. Assessment Appeals		
The Municipal Assessment Act and The City of Winnipeg Act	77	66
4. Building Restriction Caveats	25	18
5. Plans - Cancellation and Approval	6	1
6. The Planning Act	26	28
7. Miscellaneous	6	9
8. Reports and Recommendations under:		
The Planning Act	5	11
The Municipal Act	2	5
	<u>352</u>	<u>347</u>

REVENUE

Net fees totalling \$21,038.40 were received by the Board in accordance with the tariff of fees. These were collected in respect to the following functions:

	<u>1984</u>	<u>1985</u>
CAPITAL BORROWING	\$18,408.96	\$16,888.40
PLANNING AND ZONING	4,630.00	3,940.00
(Includes Discharge and/or Variation of Building Restriction Caveats; The Planning Act; Approval and Cancellation of Plans)		
MISCELLANEOUS	310.00	690.00
TOTAL REVENUE	\$23,348.96	\$21,518.40
LESS REFUNDS		
(PLANNING AND ZONING)	120.00	480.00
NET REVENUE	\$23,228.96	\$21,038.40

LOCAL AUTHORITIES

Capital Borrowing

<u>Municipal</u>	<u>1984</u>	<u>1985</u>	<u>Increase (Decrease)</u>
No. of Applications	73	60	(13)
No. of Municipalities	51	32	(19)
Amount of Borrowing Authorized	\$10,590,392.46	\$9,401,300.62	(11.23%)
Amount of Debentures Issued	\$8,738,122.43	\$4,832,160.29	(44.70%)

School

No. of Applications*	53	40	(13)
No. of School Divisions	28	25	(3)
Amount of Borrowing Authorized	\$30,458,812.00	\$7,836,069.00	(74.27%)
Amount of Debentures Issued	\$11,810,000.00	\$8,777,000.00	(25.68%)

* For capital works initiated by The Public Schools Finance Board and debentures purchased by The Department of Finance of Manitoba.

NOTE: Municipal data does not include City of Winnipeg.

LOCAL AUTHORITIES

Capital Borrowing

Municipal debentures issued in 1985 amounted to \$4,832,160.29 as indicated above, and were sold as follows:

	<u>1984</u>	<u>1985</u>
Fiscal Agent Sales	\$4,442,551.48	\$608,760.70
Local Municipal Sales - Public	417,840.07	824,452.09
Municipal Own Reserve Funds	471,159.01	826,777.84
Minister of Finance of Manitoba, on behalf of:		
- Manitoba Water Services Board	2,338,361.24	1,667,415.36
- Agricultural Services Centre Agreement	64,115.99	-
- Manitoba Public Insurance Corporation	<u>1,004,094.64</u>	<u>904,754.30</u>
	<u>\$8,738,122.43</u>	<u>\$4,832,160.29</u>

The interest rate concerns of previous years eased considerably being back in the range evident in 1980. The market rates decreased even though a degree of stability was still evident. The rates fluctuated about 2 1/2 percentage points in the range of about 11 1/4% to 13 5/8% for 20 year term debentures decreasing gradually throughout the year. Obviously, interest rates remain an important point of concern in an economy which is still in an uneasy period of recovery.

Although the amount of debenture sales is down quite markedly, The Minister of Finance remains a prominent purchaser of municipal debentures in 1985. The interest rates for actual purchases made by The Minister of Finance ranged from 12.0% to 12 1/4%. It is quite evident that the purchases made by The Minister of Finance provide a very valuable service to all municipalities, especially small municipalities with issues of less than \$100,000.00. The interest rate established for Manitoba Water Services Board purchases was 12 3/4% which was lower than the market rate available from The Department of Finance early in 1984, and a large number of debentures were therefore sold again to the Manitoba Water Services Board as was the case in 1984.

The Manitoba Water Services Board continued to offer to finance municipal debentures through its loan program of financial assistance for projects done under agreement with it. The interest rate for work completed to December 31, 1985 was set at 12 3/4%, as mentioned above, and most municipalities opted to use the loan services offered by the Manitoba Water Services Board at that interest rate.

The reduced interest rates in 1985 allowed many municipalities to redeem debentures previously issued to the Manitoba Water Services Board at substantially higher interest rates from 1981 to 1984. The Manitoba Water Services Board had a clause in their agreements with municipalities to allow the municipalities to redeem the debentures at any time and without penalty from the Board. There were 18 such debentures in an amount of \$1,923,495.75 redeemed and refinanced with The Minister of Finance of Manitoba on behalf of Manitoba Public Insurance Corporation or with a municipality's own reserve funds.

In addition to the availability of the financing services of The Department of Finance and the Manitoba Water Services Board there was one large debenture issue sold through a fiscal agent. The balance of debenture issues in 1985 were evenly distributed between the Reserve Funds of the respective municipalities, and local public sales.

There was a substantial increase in debenture issues sold locally with most of these being to individuals and the balance to local Credit Unions. The interest rates on these issues were generally at the prevailing rates.

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1985

<u>Order No.</u>	<u>Local Authority</u>	<u>Amount</u>	<u>Rate %</u>	<u>Term Years</u>	<u>Purpose</u>
F 203/85	Alexander, L.G.D.	\$ 7,100.00	11 1/8	15	Increase Authorization
F 77/85	Altona, Town	40,000.00	13.0	5	Paving
F 78/85	Altona, Town	14,250.00	13.0	5	Paving
F 79/85	Altona, Town	34,500.00	13.0	5	Paving
F 127/85	Altona, Town	238,300.00	13 1/2	5	Paving
F 7/85	Arborg, Village	90,000.00	12.0	10	Purchase Land
F 112/85	Arborg, Village	40,000.00	12.0	10	Water & Sewer Extensions
F 134/85	Beausejour, Town	50,000.00	12.0	20	Water Main Renewal
F 10/85	Binscarth, Village	2,162.67	12.0	5	Water Meters
F 146/85	Brandon, City	46,586.00	13.0	15	Street Lighting
F 13/85	Coldwell, R.M.	170,300.00	13 1/4	20	Sewer System Extensions
F 75/85	Dauphin, Town	750,000.00*	-	-	Various Projects
F 103/85	Dauphin, Town	51,288.00*	-	-	Paving & Curbs
F 114/85	Dauphin, Town	331,725.00*	-	-	Various Projects
F 115/85	Dauphin, Town	409,940.00*	-	-	Drainage Construction
F 102/85	Fisher, L.G.D.	541,515.00	13 1/2	20	Sewage System
F 48/85	Flin Flon, City	7,199.86	12 3/4	20	Various Local Improvements
F 36/85	Grandview, Town	13,807.00	12 3/4	20	Sewer Extensions
F 105/85	Killarney, Town	61,280.00	12 3/4	10	Paving & Curb
F 63/85	Montcalm, R.M.	43,050.00	13.0	15	Replace Water Lines

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1985

<u>Order No.</u>	<u>Local Authority</u>	<u>Amount</u>	<u>Rate %</u>	<u>Term Years</u>	<u>Purpose</u>
F 44/85	Morden, Town	28,874.87	13.0	10	Road Construction
F 89/85	Morden, Town	74,000.00	13.0	10	Street Paving
F 95/85	Morden, Town	75,000.00	13.0	10	Street Paving
F 96/85	Morden, Town	82,000.00	13.0	10	Street Paving
F 97/85	Morden, Town	725.13	12 1/2	9	Street Paving
F 122/85	Morden, Town	55,000.00	12.0	5	Street Paving
F 111/85	Morris, Town	54,000.00	13 3/4	20	Water Line Installation
F 143/85	Neepawa, Town	3,534.00	11.0	5	Curb & Gutter
F 116/85	Rhineland, R.M.	22,826.66	-	-	Increased Authorization
F 139/85	Ritchot, R.M.	230,000.00	13 1/2	20	Construct Community Centre
F 201/85	Ritchot, R.M.	12,000.00	12 1/8	20	Water Line Extensions
F 113/85	Roblin, Town	35,744.43	10.0	5	Purchase Fire Truck
F 123/85	Rosburn, Village	35,000.00	11 1/2	10	Main Street Revitalization
F 156/85	Rosburn, Village	5,000.00	-	-	Increase Authorization
F 85/85	Russell, Town	250,000.00	13 1/4	10	Asphalt Paving
F 162/85	St. Pierre-Jolys, Village	26,500.00	12 1/2	10	Curb & Paving
F 87/85	Selkirk, Town	63,500.00	13 1/4	10	Paving, Curb & Approaches
F 88/85	Selkirk, Town	78,000.00	13 1/4	10	Paving, Curb & Approaches

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1985

<u>Order No.</u>	<u>Local Authority</u>	<u>Amount</u>	<u>Rate %</u>	<u>Term Years</u>	<u>Purpose</u>
F 118/85	Selkirk, Town	122,000.00	13 1/4	10	Paving, Curb & Approaches
F 119/85	Selkirk, Town	18,500.00	13 1/4	10	Ornamental Sidewalks
F 120/85	Selkirk, Town	43,500.00	13 1/4	10	Paving, Curb & Approaches
F 121/85	Selkirk, Town	198,500.00	13 1/2	15	Storm Sewers
F 183/85	Selkirk, Town	250,000.00	13 1/2	20	Install Water Line
F 45/85	Shoal Lake, Village	100,000.00	14.0	10	Joint Community Centre
F 46/85	Shoal Lake, R.M.	100,000.00	14.0	10	Joint Community Centre
F 5/85	Steinbach, Town	130,000.00	15.0	10	Road Reconstruction
F 84/85	Steinbach, Town	1,500,000.00	13.0	10	Relocate & Construct Lagoon
F 108/85	Steinbach, Town	15,000.00	14.0	5	Street Lighting
F 144/85	Steinbach, Town	100,000.00	13.0	10	Curb & Paving
F 176/85	Strathcona, R.M.	78,500.00	12 1/8	20	Well & Pipeline
F 34/85	Swan River, Town	190,000.00	13.0	5	Storm Sewers, Paving, Sidewalks
F 62/85	The Pas, Town	282,000.00	12 3/4	7	Various Projects
F 155/85	Victoria, R.M.	86,350.00	12.0	20	Water & Sewer Extensions
F 107A/85	Virden, Town	145,000.00	11.0	5	Paving, Curb & Gutter
F 6/85	Winkler, Town	1,428,000.00	12.0	10	Relocate Lagoon
F 86/85	Winkler, Town	56,000.00	12.0	5	Asphalt Paving

MUNICIPAL BORROWING BY-LAWS AUTHORIZED IN 1985

<u>Order</u> <u>No.</u>	<u>Local Authority</u>	<u>Amount</u>	<u>Rate</u> <u>%</u>	<u>Term</u> <u>Years</u>	<u>Purpose</u>
F 107/85	Winkler, Town	59,242.00	12.0	10	Paving & Street Lighting
F 106/85	Winkler, Town	148,000.00	12.0	5	Paving & Sidewalks
F 124/85	Winkler, Town	210,000.00	12.0	5	Purchase Property
F 125/85	Winkler, Town	66,000.00	12 1/2	15	Public Parking
		<u>\$9,401,300.62</u>			

- * Town of Dauphin is for temporary financing only; the capital borrowing will be authorized at the time the project is completed.

Refer to Addendum for hearings held by The Municipal Board in 1985 with respect to Municipal Borrowing By-laws.

MISCELLANEOUS ORDERS - 1985

<u>Order No.</u>	<u>Local Authority</u>	<u>Amount</u>	<u>Purpose</u>
F 145/85	Altona, Town	(\$43,187.95)	Cancel Borrowing Authority
F 205/85	Altona, Town	\$78.58	Tax Cancellation
F 185/85	Arborg, Village	\$18,847.89	Refinance Previous Debenture Issue
F 9/85	Carberry, Town	\$24.07	Tax Cancellation
F 17/85	Deloraine, Town	-	Amend Property Schedule
F 126/85	Deloraine, Town	-	Amend Property Schedule
F 177/85	Deloraine, Town	\$70,573.97	Refinance Previous Debenture Issue
F 186/85	Emerson, Town	\$13,141.55	Refinance Previous Debenture Issue
F 16/85	Gladstone, Town	\$258.31	Tax Cancellation
F 157/85	Gladstone, Town	\$84,300.21	Refinance Previous Debenture Issue
F 158/85	Gladstone, Town	\$109,456.62	Refinance Previous Debenture Issue
F 165/85	Hamlota, Village	\$17,951.14	Refinance Previous Debenture Issue
F 192/85	Macdonald, R.M.	\$17,799.45	Refinance Previous Debenture Issue
F 193/85	Macdonald, R.M.	\$54,528.40	Refinance Previous Debenture Issue
F 194/85	Macdonald, R.M.	\$145,807.71	Refinance Previous Debenture Issue
F 135/85	MacGregor, Village	-	Withdraw By-law
F 136/85	MacGregor, Village	-	Withdraw By-law
F 148/85	MacGregor, Village	\$21,245.87	Refinance Previous Debenture Issue

MISCELLANEOUS ORDERS - 1985

<u>Order No.</u>	<u>Local Authority</u>	<u>Amount</u>	<u>Purpose</u>
F 189/85	MacGregor, Village	-	Correct Previous By-law
F 98/85	Morris, R.M.	\$6,047.66	Tax Cancellation
F 160/85	Neepawa, Town	-	Authorize Interest Rate
F 174/85	Neepawa, Town	\$292,438.15	Refinance Previous Debenture Issue
F 188/85	Neepawa, Town	-	Cancel Debenture Issue
F 137/85	Pipestone, R.M.	-	Amend Property Schedule
F 190/85	Plum Coulee, Village	\$2,475.12	Refinance Previous Debenture Issue
F 171/85	Portage la Prairie, City	-	Withdraw By-law
F 172/85	Portage la Prairie, City	-	Withdraw By-law
F 58/85	Powerview, Village	-	Join Regional Library
F 197/85	Roblin, Town	\$121.00	Tax Cancellation
F 43/85	Selkirk, Town	-	Amend By-law
F 159/85	Shoal Lake, Village	-	Join Regional Library
F 166/85	Snow Lake, Town	\$134,563.01	Refinance Previous Debenture Issue
F 167/85	Snow Lake, Town	\$183,155.24	Refinance Previous Debenture Issue
F 168/85	Snow Lake, Town	\$58,503.74	Refinance Previous Debenture Issue
F 169/85	Snow Lake, Town	\$45,315.08	Refinance Previous Debenture Issue
F 170/85	Snow Lake, Town	\$600,019.58	Refinance Previous Debenture Issue

MISCELLANEOUS ORDERS - 1985

<u>Order No.</u>	<u>Local Authority</u>	<u>Amount</u>	<u>Purpose</u>
F 22/85	Stonewall, Town	\$351.37	Tax Cancellation
F 110/85	Tache, R.M.	-	Amend Property Schedule
F 180/85	Tache, R.M.	-	Defer Tax Levy
F 8/85	Treherne, Village	\$578.51	Tax Cancellation
F 196/85	Treherne, Village	\$578.10	Tax Cancellation
F 191/85	Wawanesa, Village	\$45,074.22	Refinance Previous Debenture Issue
F 12/85	Winnipeg, City	(\$500,000.00)	Cancel Borrowing Authority
F 184/85	Winnipeg, City	(\$2,630,441.00)	Cancel Borrowing Authority
F 207/85	Winnipeg, City	-	Correct Board Order
F 23/85	Winnipeg Beach, Town	\$1,379.71	Tax Cancellation
F 163/85	Winnipeg Beach, Town	\$26,906.58	Refinance Previous Debenture Issue

SCHOOL DIVISIONS

<u>Order No.</u>	<u>School Division</u>	<u>Borrowing Authorized</u>	<u>Rate %</u>	<u>Purpose</u>
(* Indicates temporary financing only - no debenture issued.)				
F 73/85	Agassiz #13	\$340,000.00	12 3/8	Beausejour Elementary, Addition, Renovations
F 57/85	Assiniboine South #3	165,000.00	12 3/8	Beaumont School, Renovations
F 83/85	Birdtail River #38	1,600,000.00*	-	Birtle Elementary, New
F 60/85	Brandon #40	350,000.00	12 3/8	Crocus Plains Regional Secondary School, Addition, Renovations
F 141/85	Brandon #40	440,000.00	11 1/4	Crocus Plains Regional Secondary School, Addition, Renovations
F 59/85	Duck Mountain #34	609,975.00*	-	Rorketon School, Addition, Renovations
F 152/85	Duck Mountain #34	500,000.00	11 5/8	Rorketon School, Addition, Renovations
F 181/85	Duck Mountain #34	31,609.00*	-	Increased Authority re: Rorketon School
F 61/85	Fort Garry #5	250,453.00*	-	Ryerson, Pembina Crest, General Byng Schools, Repairs
F 151/85	Fort Garry #5	260,000.00	11 1/4	Ryerson, Pembina Crest, General Byng Schools, Repairs
F 2/85	Garden Valley #26	550,000.00	13.0	Plum Coulee Elementary, New Addition
F 91/85	Interlake #21	100,000.00	12 1/2	R.W. Bobby Bend Elementary, Addition
F 94/85	Interlake #21	153,000.00*	-	Stonewall Centennial Elementary, Repairs

SCHOOL DIVISIONS

<u>Order No.</u>	<u>School Division</u>	<u>Borrowing Authorized</u>	<u>Rate %</u>	<u>Purpose</u>
F 150/85	Interlake #21	177,000.00	11 5/8	Stonewall Centennial, R.W. Bobby Bend Schools, Repairs, Land Purchase
F 3/85	Kelsey #45	210,000.00*	-	Mary Duncan, Scott Bateman, Opasquia Schools, Repairs
F 198/85	Kelsey #45	220,000.00	11 3/8	Mary Duncan, Scott Bateman, Opasquia Schools, Repairs
F 182/85	Midland #25	190,000.00*	-	Carman Elementary, Roland Elementary, Miami Collegiate, Repairs
F 128/85	Mystery Lake #2355	149,250.00*	-	Eastwood & Juniper Elementary Schools, Repairs
F 129/85	Mystery Lake #2355	218,525.00*	-	R.D. Parker Collegiate, Repairs
F 140/85	Pelly Trail #37	385,000.00*	-	Inglis School, Addition, Alterations
F 132/85	Portage la Prairie #24	580,000.00	11 1/4	North Memorial School, Addition, Alterations
F 20/85	Red River #17	170,000.00	12 7/8	St. Malo School, Addition, Alterations
F 82/85	Rolling River #39	345,000.00	12 3/8	Forrest Elementary, Addition
F 21/85	St. James-Assiniboia #2	175,000.00*	-	Sturgeon Creek Regional Secondary School, Renovations

SCHOOL DIVISIONS

<u>Order No.</u>	<u>School Division</u>	<u>Borrowing Authorized</u>	<u>Rate %</u>	<u>Purpose</u>
F 72/85	St. James-Assinibola #2	100,000.00	12 3/8	Sturgeon Creek Regional Secondary School, Renovations
F 161/85	St. James-Assinibola #2	117,000.00*	-	Jameswood, Golden Gate, Bannatyne Schools, Upgrading, Repairs
F 175/85	St. Vital #6	653,257.00*	-	George McDowell School, Addition, Alterations
F 19/85	Selne River #14	455,000.00	12 7/8	College Regional Gabrielle Roy, New
F 199/85	Souris Valley #42	200,000.00*	-	Souris School, Repairs
F 10/85	Seven Oaks #10	355,000.00	12 7/8	Maples Complex, Deve- lopment, Equipment
F 1/85	South Winnipeg Vocational Education Centre	1,150,000.00	12 7/8	New Construction of Centre
F 117/85	South Winnipeg Vocational Education Centre	675,000.00*	-	Equipping of Centre
F 153/85	South Winnipeg Vocational Education Centre	900,000.00	11 5/8	New Construction of Centre
F 74/85	Swan Valley #35	120,000.00*	-	Birch River School, Repairs
F 133/85	Swan Valley #35	115,000.00	11 1/4	Birch River School, Repairs
F 154/85	Swan Valley #35	170,000.00*	-	Birch River School, Repairs
F 142/85	Transcona-Springfield #12	140,000.00	11 1/4	Arthur Day, John W. Gunn, Oak Bank, Westview, Springfield Schools, Repairs

SCHOOL DIVISIONS

<u>Order No.</u>	<u>School Division</u>	<u>Borrowing Authorized</u>	<u>Rate %</u>	<u>Purpose</u>
F 92/85	Winnipeg #1	1,365,000.00	12 1/2	Grant Park, Tec-Voc, R.B. Russell Schools, Alterations, Renova- tions
F 130/85	Winnipeg #1	658,000.00*	-	R.B. Russell, Victoria Albert, Grant Park, Tec-Voc Schools, Additions, Altera- tions
F 131/85	Winnipeg #1	1,270,000.00*	-	Grosvenor, Daniel McIntyre, King Edward, William Whyte, Repairs, Purchase Property

Debentures Issued	\$ 8,777,000.00
*Temporary Financing Only	7,836,069.00
TOTAL	\$16,613,069.00

NOTE: Term for all debenture issues is 20 years.

HOSPITAL DISTRICTS

A. CAPITAL BORROWING - DEBENTURES ISSUED

<u>Order</u> <u>No.</u>	<u>Hospital District</u>	<u>Amount</u>	<u>Rate</u> <u>%</u>	<u>Term</u> <u>Years</u>	<u>Purpose</u>
F 4/85	Carman #20	\$268,000.00	13 5/8	19	St. Claude Hospital

B. SUPPLEMENTARY SCHEMES APPROVED

<u>Date</u>	<u>Hospital District</u>	<u>Amount Authorized</u>
May 28, 1985	Steinbach #27	\$7,800,000.00

C. RATIFICATION OF SUPPLEMENTARY SCHEMES BY INCLUDED MUNICIPALITIES

<u>Order No.</u>	<u>Hospital District</u>	<u>Municipality</u>	<u>By-law No.</u>
F 138/85	Steinbach #27	Steinbach, Town	967
		Niverville, Village	244-85
		Hanover, R.M.	1438
		Ste. Anne, R.M.	7-85
		La Broquerie, R.M.	15-85
		Tache, R.M.	1608

Local Authorities - Purchase of land for development and/or resale.

During 1985 one application from one municipality, made under subsection 196(2)(c) of The Municipal Act, was received and authorized by the Board.

<u>Order No.</u>	<u>Local Authority</u>	<u>Purchase Price</u>	<u>Purpose</u>
D 1/85	Victoria, R.M.	\$2,000.00 and Land Exchange	Development & Resale

ADDENDUM

THE MUNICIPAL ACT

Objections to Borrowing By-laws

"Notice to board.

458(2) Forthwith after the time limited, as stated in clause (d) of subsection (1), for filing notices of objection to a proposed by-law has passed, the clerk shall notify the board, as the case requires,

- (a) that no notices of objections have been filed with him; or
- (b) that certain notices of objections have been filed with him, giving
 - (i) the names of the persons objecting;
 - (ii) a brief statement of the grounds of each objection;

and where a notice of objection has been filed with him, he shall, at the time he so notifies the board, request it to appoint a date and time when, and a place where, the objections will be heard."

<u>Municipality</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Village of Shoal Lake	Objections to By-law No. 16-84 - To establish a joint community centre district, Rural Municipality of Shoal Lake and Village of Shoal Lake	Jan. 29/85	F 45/85	Mar. 12/85	Objections Not Allowed, By-law Authorized
Rural Municipality of Shoal Lake	Objections to By-law No. 910 - To establish a joint community centre district, Village of Shoal Lake and Rural Municipality of Shoal Lake	Jan. 29/85	F 46/85	Mar. 12/85	Objections Not Allowed, By-law Authorized subject to Amendments

<u>Municipality</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Rural Municipality of Ritchot	Objections to By-law No. 12-85 - Erection of a community centre at St. Adolphe	June 6/85	F 139/85	Sept. 26/85	Objections Not Allowed, By-law Authorized subject to Conditions

SUMMARY (Addendum)

OBJECTIONS RECEIVED TO BORROWING BY-LAWS

AS AT DECEMBER 31, 1985

3 objections to By-laws received during 1985 3 orders issued

Detail on Number of Objections heard and Orders Issued during 1985:

Objections to By-law Not Allowed, By-law Authorized
Subject to Amendments/Conditions 3

Total Orders Issued. . . . 3

ADDENDUM

THE MUNICIPAL ACT

Objections to a Local Improvement Debenture

"Submissions of By-law to the board.

622(13) Subject to subsection (14), where a proposed by-law has been given first reading, the clerk shall forthwith send to the board such number of copies of the proposed by-law as the board requires, and on behalf of the council shall apply for its approval thereto; and the council shall not proceed further therewith until it has received the approval of the board to the proposed by-law as herein provided."

<u>Municipality</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Local Govern- ment District of Fisher	Objections to By- law No. 777 which By-law provides that certain lands, as described in said by-law, be constituted a local improvement dis- trict and desig- nated as Local Improvement Dis- trict No. 1. Objections to By- law No. 778 - Con- struction and Installation of a Gravity Flow Sewage System - Local Improvement Deben- ture Issue - \$541,515.00 - 13.5000% - 20 years	Mar. 18/85	F 102/85	June 12/85	Objections Not Allowed, By-laws Authorized subject to Amendments and Vote

<u>Municipality</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Town of Selkirk	Objections to By- law No. 4438 - Construction of asphalt pavement with curbs includ- ing approaches on Manitoba Avenue, from Purvis Boule- vard to P.T.H. No. 9 - Local Improvement Deben- ture Issue - \$122,000.00 - 13.2500% - 10 years	May 16/85	F 118/85	July 26/85	Objections Not Allowed, By-law Authorized
Town of Selkirk	Objections to By- law No. 4440 - Construction and Installation of an ornamental concrete block sidewalk on those portions of Main Street as described in said By-law - Local Improvement Deben- ture Issue - \$18,500.00 - 13.2500% - 10 years	May 16/85	F 119/85	July 26/85	Objections Not Allowed, By-law Authorized
Town of Selkirk	Objections to By- law No. 4443 - Construction of asphalt pavement with curbs includ- ing approaches on Christie Avenue (Eveline Street West to Town Plaza) - Local Improvement Deben- ture Issue - \$43,500.00 - 13.2500% - 10 years	May 28/85	F 120/85	July 26/85	Objections Allowed, By-law Refused

<u>Municipality</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Town of Selkirk	Objections to By-law No. 4439 - Construction and Installation of storm sewers and appurtenances on those portions of Manitoba and Christie Avenues - Local Improvement Debenture Issue - \$198,500.00 - 13.5000% - 15 years	May 16/85	F 121/85	July 26/85	Objections Allowed, By-law Authorized Subject to Amendments
Town of Altona	Objections to By-law No. 1202 - Paving of all of Willow Bay, as more particularly set out in said By-law - Local Improvement Debenture Issue - \$238,300.00 - 13.5000% - 5 years	July 4/85	F 127/85	Sept. 9/85	Objections Not Allowed, By-law Authorized

SUMMARY (Addendum)

OBJECTIONS RECEIVED TO LOCAL IMPROVEMENT BY-LAWS

AS AT DECEMBER 31, 1985

6 objections to By-laws received during 1985

6 orders issued

Detail on Number of Objections heard and Orders issued during 1985:

Objections to By-law Allowed

- By-law Refused 1
- By-law Authorized Subject to Amendments 1

Objections to By-laws Not Allowed 4

Total Orders Issued. . . . 6

THE MUNICIPAL BOARD ACT

THE MUNICIPAL ACT - THE PLANNING ACT

ASSESSMENT APPEALS - THE MUNICIPAL ASSESSMENT ACT - THE CITY OF WINNIPEG ACT

VARIATION OR DISCHARGE OF BUILDING RESTRICTION CAVEATS

PLANS - CANCELLATION AND APPROVAL

REPORTS AND RECOMMENDATIONS

MISCELLANEOUS

THE MUNICIPAL ASSESSMENT ACT

Assessment Appeals Initiated pursuant to Section 59 et seq.

"Procedure

59(4) The procedure on an appeal to the Board shall be as follows:

- (a) The appellant shall, within twenty-one days from the date of the mailing of notice of the decision of the Court of Revision, serve upon, or send by registered mail to, the clerk of the municipality a written notice of his intention to appeal; and the notice shall contain the grounds of appeal."

*Amendment, July 11, 1985, reads:

"Procedure on appeal to The Municipal Board.

57 The procedure on an appeal to The Municipal Board is as follows:

- (a) The appellant shall, within twenty-one days after the date of mailing of the notice of decision of the board of revision, serve upon or send by registered or certified mail to the clerk of the municipality a written notice of appeal setting out the grounds of appeal."

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board re: Assessment</u>
J. Hildebrandt	vs R.M. of Dufferin	Oct. 5/84	A 2/85	Jan. 15/85	Sustained

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board re: Assessment</u>
The Fort La Bosse School Division No. 41	vs Town of Oak Lake	Nov. 22/84	A 3/85	Jan. 16/85	Appeal Dismissed (withdrawn by appel- lant)
Donald A. Livingston Ltd.	vs Town of Morden	Dec. 31/84	A 5/85	Feb. 6/85	Sustained
Provincial Municipal Assessor	vs Court of Revision, Town of Morden	Dec. 31/84	A 6/85	Feb. 6/85	Sustained and New Assessment Ordered
Provincial Municipal Assessor	vs Court of Revision, Town of Winkler	Jan. 10/85	A 7/85	Feb. 6/85	Sustained and New Assessment Ordered
A.M. Campbell	vs Town of Stonewall	Nov. 16/84	A 8/85	Feb. 27/85	Reduced - Building Assessment Sustained - Land Assessment
H & L Ventures Ltd.	vs Town of Minnedosa	Dec. 28/84	A 9/85	Mar. 13/85	Appeal Dismissed No Juris- diction (Appeal was dir- ected to- wards the amount of business tax levied by The Town of Minne- dosa and not with respect

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board re: Assessment</u>
H & L Ventures Ltd. (cont'd)					to the amount at which the property has been assessed.)
W. Norosky	vs R.M. of Harrison	Dec. 3/84	A 10/85	Mar. 13/85	Sustained - Build- ing Assessment Sustained - Business Assessment
F. Arbuckle	vs Town of Souris	Dec. 3/84	A 11/85	Mar. 13/85	Sustained
D.T. Smith	vs R.M. of Wallace	Dec. 5/84	A 13/85	Mar. 13/85	Reduced and New Assessment Ordered
J. Fefchak & N. Tibbits- Fefchak	vs R.M. of Wallace	Dec. 5/84	A 14/85	Mar. 13/85	Sustained
Fort la Bosse School Division No. 41	vs R.M. of Woodworth	Dec. 13/84	A 15/85	Mar. 13/85	Reduced
E. Block	vs R.M. of Westbourne	Mar. 22/85	A 17/85	Apr. 19/85	Appeal Dismissed (withdrawn by appellant)
M. & S. Kowalchuk	vs L.G.D. of Armstrong	Nov. 19/84	A 18/85	Apr. 24/85	Sustained and New Assessment Ordered

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board re: Assessment</u>
A. J. Johannesen	vs L.G.D. of Armstrong	Nov. 19/84	A 19/85	Apr. 24/85	Reduced - Land Assessment Sustained - Building Assessment
J. Leschyshyn	vs L.G.D. of Armstrong	Nov. 19/84	A 20/85	Apr. 24/85	Sustained - Land Assessment Reduced - Building Assessment
Canadian Pacific Limited	vs Town of Minnedosa	Dec. 28/84	A 21/85	Apr. 24/85	Reduced
H.H. Matthews	vs Town of Swan River	Nov. 21/84	A 22/85	May 3/85	Sustained
P. Onowich	vs R.M. of Springfield	Jan. 11/85	A 23/85	May 7/85	Reduced
P. Perry	vs R.M. of St. Andrews	Jan. 7/85	A 25/85	May 9/85	Reduced
S.R. Restall & E. Kinsley	vs Northern Affairs	Jan. 9/85 Jan. 4/85	A 26/85	May 15/85	Sustained
M. Gregor	vs Village of Dunnottar	Jan. 14/85	A 27/85	May 15/85	Sustained
N. & M. Runtz	vs Village of Dunnottar	Jan. 14/85	A 28/85	May 15/85	Sustained
R.R. Seidel	vs L.G.D. of Consol	Nov. 23/84	A 29/85	May 23/85	Appeal Dismissed (withdrawn by appellant)
G.B. Armstrong	vs R.M. of Grey	Jan. 24/85	A 30/85	May 23/85	Sustained
A. Freeman	vs R.M. of Siglunes	Feb. 25/85	A 33/85	June 7/85	Sustained

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board re: Assessment</u>
S.L. Stasiuk	vs R.M. of Siglunes	Feb. 25/85	A 34/85	June 7/85	Sustained
W.C. Mooney	vs R.M. of South Cypress	Feb. 18/85	A 35/85	June 7/85	Sustained
R. Drader	vs R.M. of Riverside	Feb. 20/85	A 36/85	June 7/85	Sustained
Provincial Municipal Assessor	vs Court of Revision, R.M. of St. Clements	Jan. 14/85	A 37/85	June 7/85	Increased
J. & B. Dalman	vs R.M. of St. Laurent	Dec. 31/84	A 38/85	June 10/85	Reduced - Building Assessment Sustained - Land Assessment
Bonnet Oaks Condominium	vs R.M. of Lac du Bonnet	Dec. 21/84	A 39/85	June 26/85	Reduced
B. Gloeden	vs R.M. of Siglunes	Feb. 25/85	A 40/85	June 27/85	Sustained
R.J. Clark	vs R.M. of Westbourne	Mar. 22/85	A 41/85	July 2/85	Sustained - Land Assessment Reduced - Land Assessment
J.D. Patterson	vs R.M. of Westbourne	Mar. 22/85	A 42/85	July 2/85	Sustained
J. Reiner	vs R.M. of Westbourne	Mar. 22/85	A 43/85	July 2/85	Sustained
J.A. Krahn	vs R.M. of Daly	Feb. 20/85	A 44/85	July 4/85	Sustained and New Assessment Ordered

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board re: Assessment</u>
S. Myrah	vs R.M. of Daly	Feb. 20/85	A 45/85	July 4/85	Sustained and New Assessment Ordered
L. Basaraba	vs R.M. of Gilbert Plains	Nov. 29/84	A 46/85	July 15/85	Sustained - Land Assessment Reduced - Land Assessment
Provincial Municipal Assessor	vs Court of Revision, R.M. of St. Clements	Jan. 14/85	A 47/85	July 24/85	Increased
W. Kowal	vs City of Flin Flon	Nov. 29/84	A 48/85	July 25/85	Sustained
M. Adolphe	vs Village of Dunnottar	Jan. 14/85	A 49/85	Aug. 21/85	Reduced
V. Barcellona	vs City of Brandon	Feb. 26/85	A 50/85	Sept. 25/85	Sustained
J.D. Donald	vs City of Brandon	Feb. 26/85	A 51/85	Sept. 25/85	Sustained
C. Drysdale	vs R.M. of Langford	Apr. 25/85	A 57/85	Oct. 29/85	Appeal Dismissed (withdrawn by appel- lant)
R.L. Elke	vs L.G.D. of Alonsa	May 9/85	A 58/85	Oct. 28/85	Sustained
M. Middleton	vs City of Brandon	Feb. 26/85	A 59/85	Nov. 8/85	Reduced - Land Assessment Sustained - Building Assessment

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board re: Assessment</u>
B. Bird	vs R.M. of Winchester	Oct. 9/85	A 60/85	Nov. 6/85	Reduced
P. & P. Perchal	vs R.M. of Victoria Beach	Feb. 15/85	A 61/85	Nov. 28/85	Reduced - Building Assessment Sustained - Land Assessment
I. Anderson	vs R.M. of Victoria Beach	Feb. 15/85	A 62/85	Nov. 28/85	Sustained

MUNICIPAL ASSESSMENT APPEALS PENDING

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Comments</u>
P. Marshall	vs L.G.D. of Consol (1980 Assessment)	*	Decision Pending
P. Marshall	vs L.G.D. of Consol (1982 Assessment)	Dec. 7/81	Decision Pending
P. Marshall	vs L.G.D. of Consol (1983 Assessment)	Dec. 6/82	Decision Pending
P. Marshall	vs L.G.D. of Consol (1984 Assessment)	Nov. 18/83	Decision Pending
St. Michael's Academy	vs City of Brandon	July 4/83	
R. Blanchette	vs Village of Ste. Anne	Nov. 5/84	
A. H. & V. Doering	vs R.M. of Grandview	Dec. 13/84	Decision Pending
P. Marshall	vs L.G.D. of Consol (1985 Assessment)	Nov. 23/84	Decision Pending
Alexander's Auto Ranch Ltd.	vs City of Flin Flon	Nov. 7/85	In Court of Queen's Bench
B & L Theatre	vs Village of St. Pierre- Jolys	Oct. 28/85	
D. Brisbin	vs Town of Emerson	Nov. 12/85	
A. Blisson	vs Village of Powerview	Nov. 12/85	
E. & A. Baschuk	vs R.M. of Lawrence	Dec. 23/85	
A.H. & V. Doering	vs R.M. of Grandview	Dec. 16/85	
E.J.C.M. Ltd.	vs R.M. of Victoria Beach	Feb. 15/85	Hearing Not Concluded
Ferme Polron Ltee.	vs R.M. of Lorne	Nov. 12/85	
Hughes & Co. Holdings Ltd.	vs City of Brandon (1984 & 1985 Assessment)	Feb. 26/85	Decision Pending
D. Henuset	vs R.M. of Pipestone	Nov. 18/85	

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Comments</u>
J.V. Kennedy & G.T. Morrish	vs L.G.D. of Consol	Nov. 25/85	
J.A. Krahn	vs R.M. of Daly	Nov. 18/85	
W.R. Laycock	vs Town of Carman	Dec. 30/85	
Lytic Theatre	vs Town of Beausejour	Oct. 15/85	Decision Pending
D.K. McKinnon	vs Town of Neepawa	Dec. 23/85	
L.V. Pelluck	vs L.G.D. of Armstrong	Nov. 18/85	
S. & F. Powell	vs Village of Powerview	Nov. 12/85	
O.M., N.M. & G. Sanders	vs R.M. of Lorne	Nov. 12/85	In Court of Queen's Bench
O.M. Sanders	vs R.M. of Lorne	Nov. 12/85	
M. Santos	vs R.M. of Ritchot	Nov. 21/85	
L. Wilson	vs R.M. of Grandview	Dec. 16/85	
S. Briese	vs R.M. of Langford	Apr. 25/85	Decision Pending
L. Davie	vs R.M. of Langford	Apr. 25/85	Decision Pending
E., V. & H. Dudenhoffer	vs R.M. of Langford	Apr. 25/85	Decision Pending
G. Fehr	vs R.M. of Langford	Apr. 25/85	Decision Pending
W. Ferguson	vs R.M. of Langford	Apr. 25/85	Decision Pending
M. Hunter	vs R.M. of Langford	Apr. 25/85	Decision Pending
W. Hunter	vs R.M. of Langford	Apr. 25/85	Decision Pending
J. Pollock & D. Johnson	vs R.M. of Langford	Apr. 25/85	Decision Pending
E. Sage	vs R.M. of Langford	Apr. 25/85	Decision Pending
M. Sumner	vs R.M. of Langford	Apr. 25/85	Decision Pending

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Comments</u>
<u>GROUP APPEAL</u>	All vs R.M. of Langford	All Received Apr. 25/85	All Decisions Pending
M. Alexander			
N. Brydon			
R. Carriere			
L. Cavers			
J. Cummings			
L. Davie			
L. Davie			
R. Davie			
W. Davie			
E. & V. Dudenhoffer			
H. Dudenhoffer			
J. Farough			
W. Ferguson			
M. Hunter			
W. Hunter			
L. Jaslenczyk			
M. Kasprick			
D. Lee			
J. Lindsay			
D. McLaren			
S. Myker			
P. Nesblitt			
C. Nugent			
D. Nugent			
J. Nugent			
E. Perrett			
J. Perrett			
D. Pollock			
G. Pollock			
J. Pollock			
R. Stinchcombe			
G. Wiesbrot			
A. & G. Dudenhoffer	vs R.M. of Lansdowne	Apr. 22/85	
F. Klassen	vs R.M. of Lansdowne	Apr. 22/85	
L.J. McGhie	vs R.M. of Lansdowne	Apr. 22/85	
L.R. McGhie	vs R.M. of Lansdowne	Apr. 22/85	

<u>Appellants</u>	<u>Municipality</u>	<u>Date Received</u>	<u>Comments</u>
<u>GROUP APPEAL</u>	All vs R.M. of Lansdowne	All Received	
C.W. Burnside		Apr. 22/85	
R.D. Burnside			
A. & G. Dudenhoffer			
C. Ferguson			
D. & R. Ferguson			
J.R. Ferguson			
L.S. Ferguson			
T. Ferguson			
V. Murkin			
J. Perrett			
B. Pottlinger			
K. Pottlinger			
W. Pottlinger			
A. Terin			

* Order of The Court of Queen's Bench dated September 11, 1984 directs that Board Order No. A 2/82 (dated January 19, 1982) be quashed.

THE CITY OF WINNIPEG ACT

Assessment Appeals Initiated pursuant to Section 204 et seq.

"Procedure on appeal to Municipal Board"

204(1) The procedure on an appeal to The Municipal Board shall be as follows:

- (a) The appellant shall, within twenty-one days from the date of the mailing of notice of the decision of the Board of Revision, serve upon, or send by registered mail to, the clerk of the city a written notice of his intention to appeal; and the notice shall contain the grounds of appeal."

<u>Appellants</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board re: Assessment</u>
H. Ramdahn	June 28/84	A 1/85	Jan. 3/85	Sustained
Truscan Realty Ltd. et al, Hudson's Bay Company, and National Trust Company, Limited et al and The City of Winnipeg and the Assessor for The City of Winnipeg and Board of Revision of The City of Winnipeg	July /84	A 4/85	Jan. 29/85	Reduced - Land Assessment (District 2) Reduced - Land Assessment (District 1)
Canadian Tire Corpora- tion, Limited	July 19/84	A 16/85	Mar. 29/85	Reduced - Land Assessment Sustained - Building Assessment
N. Boychuk	Mar. 23/84	A 24/85	May 9/85	Reduced
J.H. Bock	May 22/85	A 52/85	Sept. 27/85	Sustained
Shelter Corporation of Canada Limited	May 13/85	A 53/85	Oct. 3/85	Appeal Dismissed (withdrawn by appellant)
Genstar Corporation	Oct. 19/84	A 54/85	Oct. 4/85	Sustained
Maple Leaf Mills Limited	Aug. 26/85	A 55/85	Oct. 24/85	Appeal Dismissed (withdrawn by appellant)

<u>Appellants</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board re: Assessment</u>
Hamilton Hotel Co. Ltd. (B. Seredycz)	May 24/85	A 56/85	Oct. 29/85	Appeal Dismissed (withdrawn by appellant)
Monarch Life Assurance Company	Nov. 26/84	A 63/85	Dec. 10/85	Appeal Dismissed (withdrawn by appellant)
G. Zucawich	June 3/85	A 64/85	Dec. 13/85	Reduced - Build- ing Assessment Sustained - Land Assessment
North Star Inn Ltd.	Mar. 15/85	A 65/85	Dec. 17/85	Reduced
Marlborough Inn	Mar. 15/85	A 66/85	Dec. 17/85	Sustained - Land Assessment Reduced - Build- ing Assessment

CITY OF WINNIPEG ASSESSMENT APPEALS PENDING

<u>Appellants</u>	<u>Date Received</u>	<u>Comments</u>
R. W. Boden (North Star Inn)	Jan. 19/82	
Genstar Cement Ltd.	July 3/84	
T.D. & L.J. Peterson	July 19/84	
J.S. Walker	July 19/84	
City of Winnipeg vs J.S. Walker	July 19/84	
City of Winnipeg vs L.J. Peterson	July 19/84	
Bae's Taekwondo Institute	July 26/85	
Bank of Montreal	Dec. 20/85	
Black & Armstrong Limited (Boyd Building)	Nov. 18/85	
L.W. Czarnecki	June 25/85	Decision Pending
R.T. Dixon	Oct. 10/85	
E.P. Cooke Real Estate Services Ltd.	Apr. 12/85	Decision Pending
Hill-Everest Holdings Ltd. (Brittany Inn)	July 12/85	Hearing Not Concluded
Transcona Recreation Centre Ltd.	Dec. 19/85	
Trizec Equities Limited	Dec. 2/85	

THE MUNICIPAL ASSESSMENT ACT

Equalized Assessment Appeals Initiated pursuant to Sections 13(4) and 13(5)

"Appeal from equalization"

13(4) Any municipality dissatisfied with the equalization made by the Provincial Municipal Assessor under subsection (1) may on or before the thirty-first day of October of the year in which the equalization is made by him, appeal to the board by way of complaint, whether it be to increase or reduce its own equalized assessment or to have increased or reduced the equalized assessment of any other municipality; and the board may hear and determine such appeals."

"Appeal by Provincial Municipal Assessor to rectify error"

13(5) Where the Provincial Municipal Assessor is satisfied that there is an error in an equalization made by him and reported as provided in subsection (3), he may appeal to the board to rectify the error as in like manner as in the case of an appeal made under subsection (4); but he may make the appeal at any time."

<u>Appellant</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Provincial Municipal Assessor	Appeal to reduce equalized assess- ment of The R.M. of Daly	Jan. 2/85	A 12/85	Mar. 7/85	Reduced
Provincial Municipal Assessor	Appeal to reduce equalized assess- ment of The R.M. of Lakeview	May 10/85	A 31/85	May 28/85	Reduced
Provincial Municipal Assessor	Appeal to reduce equalized assess- ment of The Town of Winnipeg Beach	May 22/85	A 32/85	May 28/85	Reduced

SUMMARY

ASSESSMENT APPEALS RECEIVED, ORDERS ISSUED AND APPEALS PENDING

AS AT DECEMBER 31, 1985

129 appeals received during 1985	39 orders issued	90 appeals remain pending
35 appeals received during 1984	27 orders issued	8 appeals remain pending
2 appeals received during 1983		2 appeals remain pending
2 appeals received during 1982		2 appeals remain pending
1 appeal received during 1981		1 appeal remains pending

Appeals dismissed/withdrawn:

withdrawn by appellant	8
no jurisdiction	1

Total Orders Issued 66

THE MUNICIPAL BOARD ACT

Applications for variation or discharge of building restriction caveats pursuant to Section 110

"Power to Vary Caveats

110(1) Subject to subsection (3), the board, after such notice and hearing as it deems proper and upon such terms and conditions as it may fix, may by order vary, cancel or substitute, in whole or in part, any building restriction affecting lands, or the use thereof, howsoever created, and may order the discharge, removal or amendment of any caveat recording the restriction."

<u>Applicants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
C. & E. Toews	Variation of Building Res- triction Caveat No. 18411	Sept. 12/84	V 1/85	Jan. 10/85	Varied
M.J. Mileham	Discharge of Building Res- triction Caveat No. 56408	Oct. 30/84	V 2/85	Jan. 10/85	Discharged
S.G. Mulder	Variation of Building Res- triction Caveat No. 80-13019	Oct. 19/84	V 3/85	Jan. 10/85	Varied
67138 Manitoba Ltd.	Discharge of Building Res- triction Caveat No. 10337	Nov. 7/84	V 4/85	Jan. 25/85	Discharged
F. Lizotte	Discharge of Building Res- triction Caveat No. 10337	Jan. 28/85	V 5/85	Feb. 13/85	Discharged
M.A. Kruk	Variation of Building Res- triction Caveat No. 28156	Jan. 25/85	V 6/85	Mar. 11/85	Varied

<u>Applicants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
L. Mendelson	Discharge of Building Res- triction Caveat No. 61612	Feb. 27/85	V 7/85	Mar. 15/85	Discharged
G. & L. Allard	Discharge of Building Res- triction Caveat No. 26672	Feb. 21/85	V 8/85	Mar. 29/85	Discharged
D.C. & D.A. Ellison	Variation of Building Res- triction Caveat No. 148774	Mar. 1/85	V 9/85	Mar. 29/85	Varied
L. Friesen	Variation of Building Res- triction Caveat No. 28156	Apr. 15/85	V 10/85	Apr. 30/85	Varied
R.M. of Victoria Beach	Variation of Building Res- triction Caveat No. 116928	Nov. 29/84	V 11/85	May 6/85	Varied
P. & C. Jorowski	Discharge of Building Res- triction Caveat No. 28156	May 15/85	V 12/85	June 4/85	Discharged
Duraps Corporation	Discharge of Building Res- triction Caveat No. 60365	June 7/85	V 13/85	July 18/85	Discharged
M. Kiernicki & P. Dudych	Discharge of Building Res- triction Caveat No. 28156	July 18/85	V 14/85	Aug. 1/85	Dismissed
T. Mabley	Discharge of Building Res- triction Caveat No. 28156	Jan. 26/84	V 15/85	Oct. 24/85	Dismissed

<u>Applicants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
S. Werstluk	Variation of Building Res- triction Caveat No. 230425	Oct. 21/85	V 16/85	Nov. 19/85	Varied
H.C. Tirschmann, J.F. Peterson, E.O. Tirschmann, D.G. Tirschmann	Variation of Building Res- triction Caveat No. 208417 1/2	Sept. 6/85	V 17/85	Dec. 5/85	Varied
R.M. Tobin	Variation of Building Res- triction Caveat No. 151976	Nov. 12/85	V 18/85	Dec. 5/85	Varied

APPLICATIONS FOR VARIATION OR DISCHARGE
OF BUILDING RESTRICTION CAVEATS PENDING

<u>Applicants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Comments</u>
Town of Steinbach & Steinbach Credit Union Ltd.	Discharge of Building Restriction Caveat Nos. 228942 & 228943	Jan. 16/84	
C. & G. Buley	Variation of Building Restriction Caveat No. 37455	Apr. 9/85	Decision Pending

SUMMARY

BUILDING RESTRICTION CAVEAT APPLICATIONS RECEIVED

ORDERS ISSUED AND APPLICATIONS PENDING

AS AT DECEMBER 31, 1985

13 applications received during 1985	18 orders issued	1 application remains pending
7 applications received during 1984		1 application remains pending

Detail on Number of Appeals heard during 1985:

Applications for Variation Granted	9
Applications for Discharge Granted	7
Applications Dismissed	2
Total Orders	18

THE MUNICIPAL BOARD ACT

Applications for Cancellation of Plans pursuant to Section 95

"Application for cancellation of plans

95(1) Subject to subsection (2), the board may, upon the application of the owner or beneficial owner of any parcel of land included in a registered plan of subdivision, after such notice and hearing as it deems proper and upon such terms and conditions as it may fix, order the cancellation in whole or in part or the amendment or alterations, of the registered plan; and, notwithstanding the provisions of this Part respecting new plans of clause (g) of subsection (3) of section 112 of The Real Property Act, the board may direct the registration of a plan showing the partial cancellation, amendment or alteration or a new plan in substitution therefore as approved in accordance with the provisions of The Planning Act."

<u>Applications</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Duraps Corporation	Cancellation of part of Plan Nos. 1714, 10795, 13450 and 15151, W.L.T.O. and Approval of New Plan of Subd. of Parts of River Lots 12, 13, 14, 15 and 16, Parish of St. Charles, City of Winnipeg, Manitoba	June 7/85	P 1/85	July 18/85	Approved

APPLICATIONS FOR CANCELLATION OF PLANS PENDING

<u>Applications</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Comments</u>
* J. E. Buhler	Cancellation of Plan No. 661	Jan. 31/79	
** Town of Selkirk	Marine Museum Subdivi- sion (1 Plan); Railway Lotting Subdivisions (5 Plans) (2 applications)	Aug. 3/80	
A. & D.A. Chapel	Cancellation of Part of Plan No. 2926 - L.G.D. of Alexander	Sept. 12/85	
Pollock & Wright	Cancellation of Part of Plan No. 12202 - R.M. of St. Andrews	Oct. 18/85	Decision Pending
* Action being taken in the Court.			
** Marine Museum - Subdivision hearing held May 7, 1982, decision pending upon receipt of under- takings. Railway Lotting Subdivision hearing not commenced.			

SUMMARY

CANCELLATION AND APPROVAL OF PLANS OF SUBDIVISION

APPLICATIONS RECEIVED, ORDERS ISSUED AND APPLICATIONS PENDING

AS AT DECEMBER 31, 1985

3 applications received during 1985	1 order issued	2 applications remain pending
1 application received during 1980		1 application remains pending
1 application received during 1979		1 application remains pending

Details on Number of Applications heard and Orders Issued during 1985:

Applications Approved 1

Total Orders Issued 1

THE PLANNING ACT

Objections to Zoning By-laws filed pursuant to Section 44(2)(c)

"Action by council where by-law given 2nd reading

44(2) Within the time mentioned in subsection (1), after the meeting referred to in subsection 43(6), the council of the municipality shall

- (a) where there are objections to the by-law, give second reading, subject to subsection 43(9), to the by-law;
- (b) send a copy of the by-law to the minister; and
- (c) send by registered mail, postage prepaid, a notice to all persons who made or filed an objection to the by-law stating that they may within the time specified in the notice file a further objection with The Municipal Board or the board of a district, as the case may be;

and the person who filed a further objection with The Municipal Board, or the board of a district, shall send a copy of the further objection to the council."

<u>Objectors</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
A. Henderson, et al	By-law No. 6550 City of Portage la Prairie	Nov. 9/84	PZ 1/85	Mar. 26/85	Objections Not Allowed, By-law Con- firmed sub- ject to amendment
F. Wilson, et al	By-law No. 6553 City of Portage la Prairie	Nov. 23/84 Apr. 2/85	PZ 2/85 PZ 3/85	Mar. 26/85 May 7/85	Objections Not Allowed, By-law Con- firmed Order No. PZ 2/85, dated Mar. 26/85, be be amended
Grand Rapids Historical Society	By-law No. 430 L.G.D. of Grand Rapids	May 29/84	PZ 4/85	June 7/85	Dismissed (withdrawn)
J. Henderson, et al	By-law No. 6580 City of Portage Prairie	Mar. 19/85	PZ 5/85	Aug. 2/85	Objections Not Allowed, By-law Confirmed

<u>Objectors</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Province of Manitoba and Village of Lac du Bonnet	By-law No. 1-85 R.M. of Lac du Bonnet	Feb. 15/85	PZ 6/85	Sept. 26/85	Objections Allowed, By-law Not Confirmed
J. Weldon, et al	By-law No. 2599 Town of The Pas	Dec. 13/84	PZ 7/85	Dec. 5/85	Objections Not Allowed, By-law Con- firmed sub- ject to con- ditions

OBJECTIONS TO ZONING BY-LAWS PENDING

<u>Objectors</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Comments</u>
T. Wiens	By-law No. 5/80 R.M. of Ritchot	Apr. 21/80	Hearing not Concluded.
H. Shorr et al	By-law No. 2638 Town of The Pas	July 8/85	To be heard in 1986.
Town of Steinbach et al	By-law No. 1444 R.M. of Hanover	Oct. 21/85	To be heard in 1986.
J. Loucks	By-law No. 6634 City of Portage la Prairie	Nov. 12/85	To be heard in 1986.
D. & D. Pelechaty	By-law No. 6646 City of Portage la Prairie	Nov. 13/85	To be heard in 1986.

THE PLANNING ACT

"Amendment of planning scheme.

95(2) Sections 43 to 49 apply, mutatis mutandis, to the amendment of a planning scheme."

"Transfer of objections to Municipal Board.

46(6) Where an objection is filed with The Municipal Board under subsection 44(2) by a district board or an adjoining municipality, all objections filed with a district board under subsection 44(2) shall be transferred by the district board to The Municipal Board for hearing in accordance with the provisions of this section; and, upon receiving an objection from the board of a district or the council of an adjoining municipality The Municipal Board shall forthwith notify the district board, if any, that any objection filed with the district board be transferred in accordance with this subsection."

<u>Objection Pending</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Comments</u>
Lac du Bonnet Planning District	Objection to By-law No. 417/85 of The Village of Lac du Bonnet amending The Lac du Bonnet Planning Scheme 1970	Aug. 9/85	To be heard in 1986.

SUMMARY

OBJECTIONS RECEIVED TO ZONING BY-LAWS, ORDERS ISSUED AND OBJECTIONS PENDING

AS AT DECEMBER 31, 1985

7 objections received during 1985	2 orders issued	5 objections remain pending
1 request for amendment of order received during 1985	1 order issued	
4 objections received during 1984	4 orders issued	
1 objection received during 1980		1 objection remains pending

Details on Number of Objections heard and Orders Issued during 1985:

Objections Not Allowed and By-law Confirmed/Approved	2
Objections Dismissed-Withdrawn by Objector	1
Objections Not Allowed and By-law Confirmed Subject to Conditions/Amendments	2
Objections Allowed and By-law Not Confirmed	1
Amendment to By-law Allowed	1
Total Orders Issued	7

THE PLANNING ACT

Appeals Initiated from the decision of the Approving Authority pursuant to Section 72(1.1)

"Appeal to Municipal Board

72(1.1) The applicant for a proposed subdivision, or the minister, may

- (a) within 30 days after the receipt of the decision of the approving authority has been forwarded to them; or
- (b) within the time permitted by a regulation referred to in section 69, where no decision is made by the approving authority;

appeal to The Municipal Board by sending a copy of the appeal by registered mail, postage prepaid, to the secretary of The Municipal Board and to the approving authority."

<u>Appellants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
M. Tallieu	Plan of Sub-division of Part of SE 1/4 Sec. 6, Twp. 7, Rge. 4 W.P.M., R.M. of Dufferin	Oct. 1/84	PS 1/85	Jan. 15/85	Appeal Not Allowed
H. Hnatluk	Plan of Sub-division of Part of Lots 119 & 120, O.T.M., Parish of St. Clements, R.M. of St. Clements	Mar. 1/84	PS 2/85	Jan. 16/85	Appeal Dismissed (Withdrawn by Appellant)
J.R. & M.J. Potter	Plan of Sub-division of Part of Lots 283A & 284A, Parish of St. Andrews, R.M. of St. Clements	Jan. 3/85	PS 3/85	Feb. 22/85	Appeal Dismissed (Withdrawn by Appellants)

<u>Appellants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
J. Chernetz	Plan of Sub- division of Part of Lot 282 O.T.M., Parish of St. Andrews, R.M. of St. Clements	Jan. 3/85	PS 4/85	Feb. 22/85	Appeal Dismissed (Withdrawn by Appellant)
Mr. & Mrs. R.K. Hughes	Plan of Sub- division of Part of SW 1/4 Sec. 6, Twp. 25, Rge. 6 W.P.M., R.M. of Siglunes	June 7/84	PS 5/85	Feb. 22/85	Appeal Dismissed (Withdrawn by Appellants)
B. Derksen	Plan of Sub- division of Part of SW 1/4 Sec. 11, Twp. 3, Rge. 4 W.P.M., R.M. of Stanley	Aug. 3/84	PS 6/85	Mar. 4/85	Appeal Not Allowed
B. Loewen	Plan of Sub- division of Part of SW 1/4 Sec. 10, Twp. 11, Rge. 7 E.P.M., R.M. of Springfield	Oct. 15/84	PS 7/85	Mar. 14/85	Appeal Dismissed (Withdrawn by Appellant)
J.A. & D.A. Howden	Plan of Sub- division of Part of NE 1/4 Sec. 30, Twp. 10, Rge. 18 W.P.M., R.M. of Cornwallis	Nov. 8/84	PS 8/85	Mar. 14/85	Appeal Dismissed (Withdrawn by Appellants)
T. Choma	Plan of Sub- division of Part of NE 1/4 Sec. 35, Twp. 12, Rge. 5 E.P.M., R.M. of Springfield	Apr. 1/85	PS 9/85	June 28/85	Appeal Not Allowed

<u>Appellants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
R. & J.M. Schwartz & G. & L. Klassen	Plan of Sub- division of Part of SE 1/4 Sec. 2, Twp. 2, Rge. 1 W.P.M., R.M. of Rhineland	Mar. 7/85	PS 10/85	July 12/85	Appeal Not Allowed
J. Kowaluk	Plan of Sub- division of Part of River Lot 1, Parish of St. Clements, R.M. of St. Andrews	Jan. 17/85	PS 11/85	July 15/85	Appeal Dismissed (Withdrawn by Appellant)
W. Kroeker	Plan of Sub- division of Part of Lot 1, Plan 17414 In River Lot 43, Twp. 22, Rge. 2 E.P.M., R.M. of Blifrost	Apr. 29/85	PS 12/85	July 26/85	Appeal Allowed subject to conditions
A. Gross	Plan of Sub- division of Part of SE 1/4 Sec. 8, Twp. 12, Rge. 5 E.P.M., R.M. of Springfield	Apr. 10/85	PS 13/85	Sept. 4/85	Appeal Allowed subject to condition
J. Trolsfontaines	Plan of Sub- division of Lot 2, Special Plot No. 18086, Pt. NW 1/4 Sec. 23, Twp. 12, Rge. 2 E.P.M., R.M. of Rosser	May 3/85	PS 14/85	Sept. 12/85	Appeal Allowed subject to condition
S. Dutkewich	Plan of Sub- division of Part of SE 1/4 Sec. 23, Twp. 9, Rge. 23 W.P.M., R.M. of Sifton	May 3/85	PS 15/85	Sept. 16/85	Appeal Not Allowed

<u>Appellants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Mr. & Mrs. K. Stadnek	Plan of Sub- division of Part Lot 17, Plan No. 2697, R.M. of Blfrost	Apr. 29/85	PS 16/85	Sept. 27/85	Appeal Allowed subject to condition
J.A. Ramsay/ Green Brier Holdings	Plan of Sub- division of Part of River Lots 64, 65 and 66, Parish of St. Norbert, R.M. of Ritchot	June 12/85	PS 17/85	Oct. 29/85	Appeal Not Allowed
Mr. & Mrs. J. Verrier	Plan of Sub- division of Lot 12, Block 4, Plan 1458, R.M. of Ritchot	June 20/85	PS 18/85	Oct. 29/85	Appeal Allowed subject to condition
R. Kathler	Plan of Sub- division of Part of NW 1/4 Sec. 18, Twp. 4, Rge. 3 E.P.M., R.M. of De Salaberry	June 20/85	PS 19/85	Nov. 19/85	Appeal Not Allowed
P. Nowicki	Plan of Sub- division of Part of NW 1/4 Sec. 4, Twp. 12, Rge. 6 E.P.M., R.M. of Spring- field	Dec. 28/84	PS 20/85	Dec. 2/85	Appeal Not Allowed
H.P. Dueck	Plan of Sub- division of Part of NE 1/4 Sec. 24, Twp. 3, Rge. 20 W.P.M., R.M. of Morton	June 3/85	PS 21/85	Dec. 5/85	Appeal Not Allowed

APPEALS FROM DECISION OF APPROVING AUTHORITY PENDING

<u>Appellants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Comments</u>
Mr. & Mrs. R.D. Schilling	Plan of Subdivision of Part of SW 1/4 Sec. 4, Twp. 9, Rge. 7 E.P.M., R.M. of Tache	Dec. 28/84	To be heard in 1986.
E.H. Barham	Plan of Subdivision of Part of SW 1/4 Sec. 35, Twp. 9, Rge. 7, E.P.M., R.M. of Tache	Nov. 6/85	To be heard in 1986.
M.H. Benson	Plan of Subdivision of Part of R.L. 45-22-26, Village of Arborg	Sept. 26/85	To be heard in 1986.
J. Blatz	Plan of Subdivision of Part of NW 1/4 Sec. 34, Twp. 6, Rge. 7 E.P.M., R.M. of La Broquerie	Sept. 5/85	To be heard in 1986.
E.P. & K.T. Chan/ K. Elnarson	Plan of Subdivision of Part of Lot 3, Plan 5215, Lot 1, Plan 1639, Town of Selkirk	Dec. 30/85	To be heard in 1986.
M. Chaput	Plan of Subdivision of Part of R.L. 52 & 53, Plan 3627, Village of Ste. Anne	Nov. 28/85	To be heard in 1986.
A. d'Auteuil	Plan of Subdivision of Part of S 1/2 Sec. 4, Twp. 9, Rge. 4 E.P.M., R.M. of Ritchot	Aug. 9/85	To be heard in 1986.
De Cholsell Enterprises Ltd.	Plan of Subdivision of Part of R.L. 50, 51 & 52, Village of Ste. Anne	Mar. 26/85	To be heard in 1986.
Dueck, Kehler, Froese, Martens	Plan of Subdivision of Part of SW 1/4 Sec. 30, Twp. 7, Rge. 4 E.P.M., R.M. of Hanover	Sept. 11/85	To be heard in 1986.
F.G.H. Holdings Ltd.	Plan of Subdivision of Part of SW 1/4 Sec. 33, Twp. 19, Rge. 4 E.P.M., R.M. of Gimli	Aug. 19/85	To be heard in 1986.
W.E. Hall	Plan of Subdivision of Part of NE 1/4 Sec. 3, Twp. 8, Rge. 4 E.P.M., R.M. of Tache	Dec. 13/85	To be heard in 1986.

<u>Appellants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Comments</u>
A. Lagimodiere	Plan of Subdivision of Part of Lot 3, Group 321, Pasquia Settlement, Pt. Sec. 9, Twp. 56, Rge. 26 W.P.M., L.G.D. of Conso	Sept. 26/85	To be heard in 1986.
G. Lozanski	Plan of Subdivision of Part of SW 1/4 Sec. 7, Twp. 12, Rge. 5 E.P.M., R.M. of Springfield	Sept. 11/85	To be heard in 1986.
Paul's Realty Ltd.	Plan of Subdivision of Part of Parcel B, Plan 10436, R.M. of Ritchot	Mar. 28/85	Decision Pending.
N. Rogowsky	Plan of Subdivision of Part of NW 1/4 Sec. 15, Twp. 3, Rge. 9 E.P.M., L.G.D. of Stuartburn	Nov. 20/85	To be heard in 1986.

SUMMARY

APPEALS RECEIVED FROM THE DECISION OF THE APPROVING AUTHORITY,
ORDERS ISSUED AND APPEALS PENDING

AS AT DECEMBER 31, 1985

28	appeals received during 1985	14	orders issued	14	appeals remain pending
8	appeals received during 1984	7	orders issued	1	appeal remains pending

Details on Number of Appeals heard and Orders Issued during 1985:

Appeals Allowed Subject to Conditions	5
Appeals Not Allowed	9
Appeals Dismissed - Withdrawn By Appellant	7

Total Orders Issued 21

THE CITY OF WINNIPEG ACT

Local Improvement Levy Appeals Initiated pursuant to Section 385(2)

"385(2) It shall not be necessary to include in any notice of the intention of the council to undertake a local improvement a statement of the amount of the assessment to be made therefore on any such land, but the assessment shall be subject to appeal to the board of appeal and from the board to The Municipal Board in the same manner as that in which appeals from the board of revision are made under Part VII of this Act."

<u>Appellant</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Rosh Pina Congregation	Appeal with respect to property at Roll No. 2 39800 05, City of Winnipeg	Oct. 15/84	MI 4/85	Apr. 29/85	Appeal Not Allowed

THE MUNICIPAL BOARD ACT

"Special tax not to be remitted."

655 Upon the coming into force of any by-law making or providing a special tax for a local improvement, the municipality shall not remit the whole or any part of the tax; and the tax shall continue to be a charge upon the lands affected thereby until it is fully paid, unless, on application of a ratepayer or the municipality, the board otherwise orders."

<u>Application Pending</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Comments</u>
R.M. of Montcalm	To remission of Local Improvement Taxes as Levied by By-law No. 918 - Roll No. 124400	Nov. 18/85	To be heard In 1986.

THE MUNICIPAL BOARD ACT

Application for Review of Municipal Board Orders pursuant to
Section 46(3)

"Varying orders"

46(3) The board may review rescind, change, alter or vary any decision or order made by it."

<u>Applicants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
W. Kroeker/ R.M. of Bifrost	Review of Board Order No. PS 12/85, dated July 26, 1985 to amend same.	Sept. 23/85	MI 8/85	Oct. 3/85	Application to vary said Order allowed.
J.D. Donald/ City of Brandon	Review of Board Order No. A 51/85, dated Sept. 25, 1985.	Oct. 7/85	MI 9/85	Oct. 16/85	Application amended.

THE MUNICIPAL ACT

"By-law for wards in a city or a rural municipality.

40(1) Subject as in this Division provided, the council of a city or a rural municipality may by by-law provide for

- (a) a division thereof into wards; or
- (b) increasing or decreasing the number of wards thereof; or
- (c) altering the boundaries or area, or both, of any one or more of the existing wards thereof; or
- (d) abolishing any division thereof into wards."

"Application to board to prohibit by-law.

42(7) Any person who objects to the proposed by-law may, within thirty days of the last publication under subsection (6), apply to the board to prohibit the passing of the by-law and serve notice thereof on or send notice thereof by registered mail to the clerk of the municipality."

<u>Objection Pending</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Comments</u>
S. Prokopchuk & W. Hupalo	Objections to By-law No. 2542 of The R.M. of Dauphin	Nov. 21/85	Decision Pending.

THE MUNICIPAL ACT

"Proceedings where no by-law passed"

4(5.1) If after three months from the date of the meeting of council at which the petition referred to in subsection (5) is received the council has not taken the action requested therein, the petitioners may within thirty days after that date apply to the board for an order giving effect to the petition and the board shall proceed on the application in the same manner as though the existing division of the municipality into wards was a proposed by-law referred to in subsection (7) of section 42, and as though an application had been made to the board under subsection (7) of section 42 to prohibit the passing thereof."

<u>Applicant</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
L. Gradwell & B. Plumb et al	Petition to alter ward boundaries within The Rural Municipality of Cornwallis	Sept. 19/83	MI 10/85	Nov. 23/85	Dismissed

THE MUNICIPAL ACT

"Application with respect to drainage as between different municipalities

Drainage as between different municipalities.

274(1) Where, in order to provide drainage of any portion of the municipality, it is deemed expedient that an outlet for any drain be provided across or over any adjoining municipality or part thereof, any interested municipality may apply to the board to determine whether the drainage is necessary, and, if so, the amount that each municipality interested, including the municipality making the application, the municipality over any part of which the proposed drain or outlet is to be constructed, and any municipality or municipalities adjoining them or either of them, is to expend or assume, and the mode of construction of the drain or outlet."

Application Pending

Received

Comment

Rural Municipality
of Grey

Feb. 14/80

Hearing still postponed at the
request of applicant.

THE MUNICIPAL ACT

"Establishment of joint community districts in community centres"

433(1) The councils of two or more joining or neighbouring municipalities, on behalf of the municipalities or parts thereof to be included in the joint community centre district, may by by-law provide for

- (a)
- (b)
- (c)
- (d)
- (e)
- (f)
- (g) the levying of a special tax, as provided in subsection (4); and
- (h)"

<u>Applicants</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Village of Cartwright	By-law No. 19-1985 Community Centre	May 30/85	MI 6/85	June 19/85	Authorized
R.M. of Roblin	By-law No. 52-1985 Community Centre	July 17/85	MI 7/85	July 18/85	Authorized

THE MUNICIPAL ACT

"Method of charging corner and irregularly shaped pieces of land."

635(1) The council of any municipality may, by by-law, provide an equitable method of charging, for local improvement, corner lots, triangular or other irregularly shaped pieces of land, lots having end or side frontage on lanes, lots fronting on a river and lots and other pieces of land requiring special consideration, having due regard to the situation, value and superficial area of such lots and pieces of land, as compared with adjoining lots and pieces of land chargeable for the improvement, and may charge the amount of any allowance made on any such lot or piece of land on the other land fronting on the improvement, or assume it as a portion of the share of the municipality or of the share of the local improvement district of the improvement, as the by-law provides; and the provisions of section 622 respecting the publication of notice, hearing by the council, and appeal to the board apply mutatis mutandis to the by-law."

<u>Objectors</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
O. Miller	By-law No. 28 of 1984 Town of Killarney	Jan. 21/85	MI 3/85	Mar. 29/85	Objection Not Allowed; By-law Authorized

THE MUNICIPAL ACT

"Disestablishment and variation of districts."

670 The board may, by order, disestablish or vary the boundaries of, any local improvement district established under section 664 or 666 upon such terms and conditions as to it seems fit, and it shall publish notice of the disestablishment or variation in boundaries in one issue of the Manitoba Gazette."

<u>Applicant</u>	<u>Particulars</u>	<u>Date Received</u>	<u>Order Number</u>	<u>Date Issued</u>	<u>Decision of Board</u>
Rural Municipality of Victoria Beach	For disestablishment of certain properties from Local Improvement District No. 1	Dec. 28/84	MI 2/85	Mar. 14/85	Approved
Rural Municipality of Morris	For disestablishment of certain properties from Local Improvement District No. 2 (Rosenort)	Mar. 4/85	MI 5/85	May 16/85	Approved

SUMMARY MISCELLANEOUS

APPLICATIONS RECEIVED, ORDERS ISSUED AND APPLICATIONS PENDING

AS AT DECEMBER 31, 1985

8 applications received during 1985	6 orders issued	2 applications remain pending
2 applications received during 1984	2 orders issued	
1 application received during 1983	1 order issued	
1 application received during 1980		1 application remains pending

Total Orders Issued 9

REPORTS & RECOMMENDATIONS

The Planning Act

Objections to a By-law to adopt and/or amend a Development Plan filed with the Minister

"Reference to Municipal Board.

32(6) Where after receiving a development plan by-law

- (a) the minister requires an amendment thereto which in his opinion is of a substantial nature; or
- (b) there are objections to the by-law that the minister believes should be considered by The Municipal Board;

he shall submit the by-law and objections thereto to The Municipal Board and direct that board to hold a hearing to consider the amendment and the objections."

"Amending development plan.

34.1(1) Sections 30 to 34 inclusive apply, mutatis mutandis, to the amendment of a development plan."

<u>Objector</u>	<u>Particulars</u>	<u>Date of receipt of referral by the Board from the Minister</u>	<u>Report to Minister</u>
D. Dennis, T. Hoffard B. Lutz & T. Wilson	Development Plan By-law No. 2132 - R.M. of Swan River	Nov. 5/84	Report and Recommendation submitted May 6, 1985
T. Johannson	Development Plan By-law No. 3-84 - Eastern Interlake Planning District	Jan. 8/85	Report and Recommendation submitted May 22, 1985
A.V. Crawley & J. Weldon	By-law No. 2598 being a By-law to amend The Town of The Pas Development Plan	Feb. 15/85	Report and Recommendation submitted August 1, 1985

<u>Objector</u>	<u>Particulars</u>	<u>Date of receipt of referral by the Board from the Minister</u>	<u>Report to Minister</u>
R. Blanchette & P. Blanchette	Development Plan By-law No. 16-84 - Village of Ste. Anne	May 9/85	Report and Recommendation submitted October 4, 1985
Dept. of Municipal Affairs & Dept. of Highways and Transportation	By-law No. 1863 being a By-law to amend The Rural Municipality of Whitehead Basic Planning Statement By-law No. 1764 as amended	May 31/85	Report and Recommendation submitted October 16, 1985
Dept. of Municipal Affairs	By-law No. 37 being a By-law to amend The Brokenhead River Planning District Development Plan	May 2/85	Report and Recommendation submitted November 7, 1985
H. Shorr, D. Finnerty & B. Smith	By-law No. 2637 being a By-law to amend The Town of The Pas Development Plan as amended	Aug. 7/85	Report and Recommendation submitted December 19, 1985

OBJECTIONS TO A BY-LAW TO AMEND A DEVELOPMENT PLAN PENDING

<u>Objector</u>	<u>Particulars</u>	<u>Date of receipt of referral by the Board from the Minister</u>	<u>Comments</u>
D.H. MacIntyre	By-law No. 13/3/85 of The Brandon and Area Planning District	Nov. 18/85	To be heard in 1986.

REPORTS & RECOMMENDATIONS

The Planning Act

Applications filed with the minister for the establishment of Planning Districts pursuant to Section 14(2)

"Submission to minister for recommendation

14(2) An application referred to in subsection (1) shall be submitted to the minister who shall refer the application to The Municipal Board."

<u>Applicants</u>	<u>Particulars</u>	<u>Date of receipt of referral by the Board from the Minister</u>	<u>Report to Minister</u>
Town of Russell, Village of Binscarth and R.M. of Russell	Establishment of a Planning District	Sept. 21/84	Report and Recommendation submitted January 3, 1985
Town of Deloraine and R.M. of Winchester	Establishment of a Planning District	June 26/85*	Report and Recommendation submitted November 23, 1985
Town of Souris and R.M. of Glenwood	Establishment of a Planning District	Oct. 23/85	Report and Recommendation submitted December 18, 1985

* Application received by Board February 11, 1982 - Withdrawn.

REPORTS & RECOMMENDATIONS

The Planning Act

"Change of boundaries and dissolution."

17(3) On the application of the board of a district or the council of a municipality the Lieutenant Governor in Council may

- (a) change the boundaries of the district; or
- (b) dissolve the district;

and the provisions of sections 13, 14 and 15, mutatis mutandis, apply to any such change or dissolution."

<u>Affected Municipality</u>	<u>Particulars</u>	<u>Date of receipt of referral by the Board from the Minister</u>	<u>Report to Minister</u>
L.G.D. of Park (North)	To join The Roblin Planning District	Aug. 7/85	Report and Recommendation submitted December 18, 1985

CHANGE OF BOUNDARIES AND DISSOLUTION PENDING

<u>Application</u>	<u>Date of receipt of referral by the Board from the Minister</u>	<u>Comments</u>
R.M. of Stanley	July 5/84	Hearing not concluded.
R.M. of Dufferin	Sept. 9/85	To be heard in 1986.

REPORTS & RECOMMENDATIONS

The Municipal Act

Petition for the alteration of the boundaries of a city, town, village or rural municipality filed with the Minister pursuant to Section 20 et seq.

"Action by Minister

20(3) Where the minister receives a petition under subsection (1) and, if the petition is from electors, it is accompanied by a statutory declaration as required under subsection (2), he shall refer the petition to The Municipal Board for its recommendations in respect of the petition and may request the board to make special recommendations on matters that he deems relevant to the proposed alteration in status, area or boundaries."

<u>Affected Municipalities</u>	<u>Particulars</u>	<u>Date of receipt of referral by the Board from the Minister</u>	<u>Report to Minister</u>
Town of Melita/ R.M. of Arthur	Proposed Boundary Alteration	Apr. 21/83	Report & Recommendation submitted January 11, 1985
R.M. of Blifrost/ L.G.D. of Fisher	Proposed Boundary Alteration	June 27/84	Report & Recommendation submitted January 16, 1985
Town of Altona/ R.M. of Rhineland	Proposed Boundary Alteration	Oct. 24/84	Report & Recommendation submitted February 13, 1985
Village of Napinka	Proposed Disestablishment of Boundaries	Dec. 3/84	Report & Recommendation submitted July 24, 1985
Village of Teulon/ R.M. of Rockwood	Proposed Boundary Alteration	Dec. 28/84	Report & Recommendation submitted September 11, 1985

PETITIONS FOR THE ALTERATION OF THE BOUNDARIES PENDING

<u>Applications</u>	<u>Date of receipt of referral by the Board from the Minister</u>	<u>Comments</u>
Town of Morden/ Town of Winkler/ R.M. of Stanley	Oct. 16/84	To be heard in 1986.
Village of Ste. Rose/ R.M. of Ste. Rose	Aug. 2/85	To be heard in 1986.
Town of Neepawa/ R.M. of Langford	Nov. 12/85	To be heard in 1986.

SUMMARY

OBJECTIONS/PETITIONS RECEIVED

REPORTS AND RECOMMENDATIONS ISSUED AND REPORTS AND RECOMMENDATIONS PENDING

AS AT DECEMBER 31, 1985

APPLICATIONS FILED FOR THE ESTABLISHMENT OF PLANNING DISTRICTS:

2 applications received during 1985

1 application received during 1984

3 Reports and Recommendations Issued

OBJECTIONS TO A BY-LAW TO ADOPT AND/OR AMEND A DEVELOPMENT PLAN:

7 objections received during 1985

1 objection remains pending

1 objection received during 1984

7 Reports and Recommendations Issued

APPLICATIONS FOR CHANGE OF BOUNDARIES FOR A PLANNING DISTRICT:

2 applications received during 1985

1 application remains pending

1 application received during 1984

1 application remains pending

1 Report and Recommendation Issued

PETITIONS FOR BOUNDARY ALTERATIONS:

2 petitions received during 1985

2 petitions remain pending

5 petitions received during 1984

1 petition remains pending

1 petition received during 1983

5 Reports and Recommendations Issued